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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,147	03/03/2004	Louise Lamarre	15656-14US AD/mb	3145
20988	7590	09/26/2005	EXAMINER	
OGILVY RENAULT LLP 1981 MCGILL COLLEGE AVENUE SUITE 1600 MONTREAL, QC H3A2Y3 CANADA			FULLER, RODNEY EVAN	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/791,147

Applicant(s)

LAMARRE, LOUISE

Examiner

Rodney E. Fuller

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

RODNEY FULLER  
PRIMARY EXAMINER

*R. E. Fuller*

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/3/05.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because the phrase "There is described..." can be implied. Correction is required. See MPEP § 608.01(b).

### ***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the following items must be shown or the feature(s) canceled from the claim(s):

- a. (Claim 22): "providing a projector" "on at least one trolley"
- b. (Claim 23): "separate trolleys move in said at least one direction"
- c. (Claim 24): "separate trolleys move relative to each other"

No new matter should be entered.

4. The drawings are objected to under 37 CFR 1.83(a) because they fail to show (paragraph 048) "wherein the rear-projector screen 16 and projector 10 are on a trolley 18 that moves along a rail 20" as described in the specification.

Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4, 6-18, 21-27, 30, 31, 33, 34 and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Douglas (US 2,968,211).

Regarding claims 1, 8-18, 21, 22, 30, 31, 33, 34 and 37, Douglas discloses projecting said background action sequence on a rear- projection screen (column 4, lines 38-41; Fig. 3, ref.# 9); providing said foreground action sequence (Fig.3, ref.# 10) front of said rear-projection screen; and causing change said background action sequence as function of and accordance with action occurring said foreground action sequence (column 1, lines 24-29, lines 52-56)."

Regarding claim 2, Douglas discloses "wherein said causing a change comprises having a human operator trigger said change." (Fig. 11, ref.# 75 shows manual control unit)

Regarding claim 3, Douglas discloses "wherein said human triggers said change as a result of a visual cue." (Fig. 11, ref.# 75 shows manual control unit that would be operated by a person utilizing visual cues.)

Regarding claim 4, Douglas discloses "wherein said visual cue is given by a director." (Fig. 11, ref.# 75 shows manual control unit that would be operated by a person (i.e, director) utilizing visual cues.)

Regarding claim 6, Douglas discloses "wherein said projecting said background comprises playing images from video tape recorder (Fig. 9, ref#. 45-48)."

Regarding claim 7, Douglas discloses "wherein said projecting said background comprises projecting said background animated characters." (column 1, lines 24-27)

Regarding claims 22-27, Douglas discloses further discloses "moving said projector and said screen along said at least one direction while filming said scene." (column 6, lines 9-11; Fig. 7, arrows show direction of movement of projector, screen and camera)

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5, 19, 20, 28, 29, 32, 35 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Douglas (US 2,968,211) in view of Diamond, et al. (US 2003/0222892).

Douglas discloses all the structure set forth in the claims except (claims 5, 19, 28 and 35) "wherein said projecting said background comprises projecting using a digital projector," (claims 20, 29 and 36) "wherein said filming said a digital camera," and (claim 32) "wherein providing said providing a liquid-crystal-display projector." However, the use of a digital camera and projector wherein the projector is LCD based is routine

in the art as a substitute for a "film based" cameras or projectors as is evident from the teaching of Diamond. One of ordinary skill in the art at the time the invention was made would have been motivated to utilize a "digital" camera and projector in place a "film" based camera and projector to allow for image correction such as keystone correction as disclosed by Diamond (See paragraphs 0005, 0041 and 0082).

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Snyder, et al. (US 4,283,766), Cunningham (US 2,260,299), Terry (US 2,127,656), Haskin (US 2,147,030), Douden (US 2,027,028), Arndt (US 2,310,339) and Eagle (US 3,039,357) each disclose a system and/or method for synchronizing a background action sequence with a foreground action sequence that includes the steps of projecting said background action sequence on a rear-projection screen; providing said foreground action sequence front of said rear-projection screen; and causing change said background action sequence as function of and accordance with action occurring said foreground action sequence.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney E. Fuller whose telephone number is 571-272-2118. The examiner can normally be reached on 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rodney E Fuller  
Primary Examiner  
Art Unit 2851

A handwritten signature in black ink, appearing to be 'R. E. Fuller', written over the printed name of the examiner.

September 19, 2005